

**IN THE UNITED STATE DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA)
PLAINTIFF)
)
v.) CASE NO. : 1:17-CR-027-JPJ-PMS
)
JOEL A. SMITHERS)
DEFENDANT)

**MOTION TO ALLOW EXPERT WITNESS TO HAVE ACCESS TO
DISCOVERY AND TO BE ALLOWED TO FILE A LATE REPORT AND BE
ALLOWED TO TESTIFY**

COMES NOW the Defendant, Joel A. Smithers, by and through counsel, and moves this Honorable Court for to allow Dr. Arnold Feldman, M.D. to have access to the medical records in the case and allow him to file a late report prior to trial regarding his proposed testimony at the trial commencing on April 29, 2019.

WHEREFORE, the Defendant Joel A. Smithers, respectfully prays that his motion be granted.

RESPECTUFLY SUBMITTED

JOEL A. SMITHERS

BY: /s/Don M. Williams, Jr.

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CERTIFICATE OF SERVICE

I, Don M. Williams, Jr., hereby certify that I have this the 18th day of April, 2019, electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing to the Assistant United States Attorney.

/s/ Don M. Williams, Jr.

DON M. WILLIAMS, JR.